

**FILED**

MAY 13 2019

Clerk, U S District Court  
District Of Montana  
Billings

PARK COUNTY CLERK  
OF DISTRICT COURT  
JUNE LITTLE

2019 JAN 25 PM 1 31

FILED  
BY *[Signature]*  
DEPUTY

HON. BRENDA R. GILBERT  
District Judge  
Sixth Judicial District  
414 East Callender Street  
Livingston, Montana 59047  
406-222-4130

**MONTANA SIXTH JUDICIAL DISTRICT COURT, PARK COUNTY**

\*\*\*\*\*

PETER GREGORY MARCILLE, )  
)  
Plaintiff, )

CAUSE NO. DV 18-124

vs. )

**CASE SCHEDULING ORDER**

VICTOR JOSEPH SANCHEZ, and )  
John Does 1-3, )  
)  
Defendants. )

**Preliminary Note:** Discovery shall be completed and filed within the time set in this Order unless, for good cause shown, the Court allows a longer period.

If the parties have not already done so, on or before **FEBRUARY 15, 2019** : The pre-discovery disclosure required by Local Rule 6C must be furnished to opposing counsel.

1. On or before **MARCH 15, 2019**: All parties are to be joined and all amendments to the pleadings are to be filed.

2. On or before **JULY 12, 2019**: Names and addresses of expert witnesses together with the information described in Rule 26(b)(4)(A)(i), M.R.Civ.P., must be furnished to opposing counsel on or before this date.

3. On or before **AUGUST 9, 2019**: Names and addresses of rebuttal expert witnesses together with the information described in Rule 26(b)(4)(A)(i), M.R.Civ.P., must be furnished to opposing counsel on or before this date.

4. On or before **NOVEMBER 8, 2019**: All discovery in this matter shall be completed on this date; i.e., all responses to discovery shall be due on or before this date.

5. On or before **NOVEMBER 22, 2019**: Exchange exhibit lists and final witness lists.

1 **ESTABLISHING DEADLINES FOR THE IDENTIFICATION OF EXPERT WITNESSES,**  
2 **WITNESSES AND EXHIBITS DOES NOT SUPERSEDE THE REQUIREMENT OF ALL**  
3 **PARTIES TO FAIRLY AND ACCURATELY RESPOND TO OTHER DISCOVERY. THAT IS**  
4 **TO SAY, BY ESTABLISHING THESE DEADLINES, IT IS NOT INTENDED THAT THE**  
5 **PARTIES CANNOT IDENTIFY EXPERTS, WITNESSES, OR EXCHANGE EXHIBITS IN**  
6 **RESPONSE TO OTHER DISCOVERY BY CLAIMING THAT THE EXCHANGE OF**  
7 **INFORMATION IS NOT DUE UNTIL THE DEADLINES ESTABLISHED BY THIS ORDER.**  
8 **ALL DISCOVERY IS TO BE FAIRLY AND ACCURATELY RESPONDED TO AND**  
9 **FAILURE TO DO SO MAY RESULT IN APPROPRIATE SANCTIONS.**

10 6. On or before **DECEMBER 20, 2019**: All motions for summary judgment,  
11 along with supporting briefs, shall be filed and served on opposing counsel on or before this date.  
12 Filing of answer briefs and reply briefs shall comply with the schedule provided by the Montana  
13 Rules of Civil Procedure and the Uniform District Court Rules.

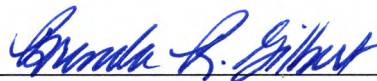
14 7. It shall be the responsibility of the moving party to advise the Court either that the  
15 motions are submitted on briefs or to request a hearing in accordance with Rule 3 of the Local  
16 Rules of the Sixth Judicial District.

17 8. There shall be no changes in this Scheduling Order absent Court order upon  
18 showing of good cause. All motions for continuance shall be submitted in writing, supported by  
19 affidavit, and shall bear the signatures of the parties.

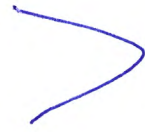
20 9. On or before **JANUARY 20, 2020**: A settlement conference or mediation shall be  
21 held before a Special Settlement Master or Mediator, as provided in Rule 11 of the Local Rules, by  
22 this date. Counsel are to confer and select a Settlement Master or Mediator by **DECEMBER 27,**  
23 **2019**, and inform the Court of the name of the Settlement Master or Mediator. The Court will then  
24 issue appropriate orders governing the conference or mediation. If the parties agree to hold a  
25 settlement conference or mediation earlier, they shall inform the Court of the name of the  
26 settlement master or mediation at least two weeks prior to the settlement conference or mediation.  
27 The Settlement Master or Mediator shall submit a report to the Court within five (5) days of  
28 completion of the conference or mediation. Counsel shall advise the Settlement Master or  
Mediator and the Settlement Master or Mediator shall include in the report to the Court the  
anticipated length of trial and the dates the parties or key witnesses are unavailable for trial. No  
case will be set for trial unless a master-supervised settlement conference or mediation has been  
held, unless waived by stipulation of all counsel and unrepresented parties and approved by Court  
order.

**Note: Counsel and pro se parties are advised that they may inquire regarding the status of a  
pending motion or decision by contacting the Clerk of Court or Court Administrator, and they  
are encouraged to do so if a matter has been deemed submitted for more than 30 days and no  
decision has been made.**

1 SO ORDERED this 25<sup>th</sup> day of January, 2019.

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4 BREND A R. GILBERT, District Court Judge

5  
6 CC: Stephen Woodruff  
7 Gregory G. Smith / Matthew T. Meade  
8 Court Administrator

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P.P.